

**City of Somerville, Massachusetts**  
**Matters of Business of the City Council**

**REGULAR MEETING AGENDA**

October 8, 2020, 7:00 PM  
Meeting by Remote Participation  
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**NOTICE**

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. C. 30A, s. 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, as well as Mayor Curtatone's Declaration of Emergency, dated March 15, 2020, this meeting of the City Council will be conducted via remote participation. We will post an audio recording, audio-video recording, transcript, or other comprehensive record of these proceedings as soon as possible after the meeting on the City of Somerville website and local cable access government channels.

**Register at the following website to view this meeting live or to testify at any public hearing:**  
<https://attendee.gotowebinar.com/register/4410650622739523596>.

**OPENING CEREMONIES**

1. Roll Call            Call of the Roll.  
(ID # 23574)
  
2. Remembrances    Remembrances.  
(ID # 23577)
  
3. Minutes            Approval of the Minutes of the Regular Meeting,  
(ID # 23576)        September 10, 2020.

**CITATIONS**

**PUBLIC HEARINGS**

4. Grant of            Submitted by Eversource to install 89 feet of conduit in  
Location            Mossland Street, from Pole 241/4 to a point of pickup st  
(ID # 23586)        15 Mossland Street (interim approval granted).
  
5. Grant of            Submitted by Eversource to install new Manhole 30893  
Location            near 56 Webster Avenue.  
(ID # 23588)
  
6. Grant of            Submitted by Eversouce to install 41 feet of conduit in  
Location            Prospect Street from Manhole 25406 to a point of pickup  
(ID # 23590)        at 50 Prospect Street.

7. Grant of Location (ID # 23583) Submitted by Extenet to install 256 feet of conduit on Inner Belt Road from Manhole 24106 to a proposed handhole, then continuing 3 feet to a replacement pole near the intersection of Washington Street and Inner Belt Road.
8. Grant of Location (ID # 23584) Submitted by Extenet to install 31 feet of conduit in Pearl Street from Manhole 4550 to a proposed handhole, then continuing 4 feet to a replacement pole near the intersection of Florence and Pearl Streets.
9. Grant of Location (ID # 23585) Submitted by Extenet to install 101 feet of conduit in Broadway from Manhole 1905 to a proposed handhole, then continuing 3 feet to a replacement pole near 332 Broadway.

**ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS**

10. Order (ID # 23552) By City Councilor Davis, Strezo  
That the Director of Health and Human Services advise this Council what services are available to our neighbors experiencing homelessness, mental illness, and addiction, and where additional funding could improve those services or enable new services.
11. Order (ID # 23571) By City Councilor Ewen-Campen  
That the Director of Communications or the appropriate department remove the electronic Soofa signs from sidewalks in Ward 3.
12. Order (ID # 23572) By City Councilor Ewen-Campen  
That the Director of Public Space and Urban Forestry work with the Ward 3 Councilor to facilitate a community meeting to plan a replacement tree(s) for the large Elm tree in Prospect Hill Park that appears to be succumbing to Dutch Elm disease.
13. Order (ID # 23551) By City Councilor Ballantyne  
That the Director of Infrastructure and Asset Management prioritize Conwell Avenue for paving as soon as possible.
14. Order (ID # 23573) By City Councilor Strezo  
That the Election Commissioner and the Chief of Police inform this Council what is being done to address possible voter intimidation at the polls and elsewhere during the month-long election process.

15. Communication By City Councilor Strezo  
(ID # 23549) Reporting on the demographic breakdown of employees in the E-911 dispatch, Fire Alarm dispatch, and Constituent Services Departments.

**UNFINISHED BUSINESS**

16. Ordinance By City Councilor Niedergang  
210185 Proposing an amendment to the zoning map to change 56 Murdock Street from the Neighborhood Residence to the Urban Residence district.
17. Mayor's Request Submitted by Acting Mayor McLaughlin, requesting  
210597 approval of an amendment to the Zoning Ordinance to the standards of Subsection 9.2.4.d for Cannabis Retail Sales uses.

**REPORTS OF COMMITTEES**

18. FINANCE COMMITTEE

- A. Committee Report  
(ID # 23567) Report of the Committee on Finance, meeting on October 6, 2020.
- B. Mayor's Request 209490 Requesting approval of an annual Vacant Property Registration Fee of \$500.  
RECOMMENDED: Approved as Amended
- C. Order 209562 By City Councilor McLaughlin, Ewen-Campen, Scott, Clingan, Ballantyne, Davis, Rossetti, Hirsch, Mbah, White Jr.  
That the Director of Finance, or the appropriate department, consider raising the limit on assets seniors may claim to qualify for senior tax exemptions.  
RECOMMENDED: Work Completed
- D. Order 209567 By City Councilor Ewen-Campen  
That the City Treasurer, the Chief Assessor and the Director of Finance discuss with this Council the possibility of switching to bi-annual tax bills, and including a simple "explainer" with each bill.  
RECOMMENDED: Work Completed
- E. Order 210035 By City Councilor Rossetti  
That the Director of Finance update this Council on all money received to date related to the COVID-19 situation.  
RECOMMENDED: Work Completed
- F. Order 210036 By City Councilor Rossetti  
That the Director of Finance update this Council on all expenditures, encumbrances and anticipated expenses to date related to the COVID-19 situation.

- RECOMMENDED: Work Completed
- G. Order 210117 By City Councilor Ballantyne  
That the Director of Finance provide a written rolling cash flow analysis every 2 weeks during this COVID-19 emergency and include forecasts to ensure sufficient operating liquidity by estimating the available cash deposits, expected inflows, and required disbursements.  
RECOMMENDED: Work Completed
- H. Order 210438 By City Councilor Rossetti  
That the Director of Finance report to this Council, all actual state aid appropriations versus budgeted (anticipated) state aid.  
RECOMMENDED: Work Completed
- I. Mayor's Request 210564 Requesting the appropriation of \$240,000 from the Capital Stabilization Fund for the FY21 Tree planting program.  
RECOMMENDED: Approved
- J. Mayor's Request 210565 Requesting a transfer of \$13,228 from the Fire Department Ordinary Maintenance Account to the Fire Alarm Ordinary Maintenance Account to fund a technical service agreement for a 911 line into Fire Alarm.  
RECOMMENDED: Approved
- K. Mayor's Request 210566 Requesting approval to pay a prior year invoice totaling \$2,332.89 unencumbered using available funds in the DPW Lights and Lines budget.  
RECOMMENDED: Approved
- L. Mayor's Request 210567 Requesting acceptance of a \$298,280 grant with no new match required, from the MA Department of Mental Health to the Police Department, for Crisis Intervention Team training.  
RECOMMENDED: Approved
- M. Mayor's Request 210568 Requesting acceptance of a \$99,605 grant with no new match required, from the MA Department of Energy Resources Green Communities program to the Office of Sustainability & Environment for energy efficiency projects.  
RECOMMENDED: Approved
- N. Mayor's Request 210569 Requesting acceptance of a \$25,602 grant that requires a match, from the Metro Mayors Shannon Initiative to the Police Department for youth violence prevention.  
RECOMMENDED: Approved
- O. Mayor's Request 210570 Requesting acceptance of a \$2,250 grant with no new match required, from the MA Cultural Council to the Arts Council for operational and programming support.  
RECOMMENDED: Approved
- P. Mayor's Communication 210580 Conveying the executed Memorandum of Agreement with DCR for the Dilboy Complex.

- RECOMMENDED: Work Completed
- Q. Order 210591 By City Councilor Ballantyne, Strezo, Davis  
That the Director of Finance and the City Assessor consider a property tax abatement for landlords who lease to artists and arts and cultural organizations, tying the property tax reductions to rental relief for those tenants.  
RECOMMENDED: Work Completed
- R. Order 210592 By City Councilor Ballantyne  
That the Director of Finance share financial updates for YTD revenues and expenditures for all Covid-related line items.  
RECOMMENDED: Work Completed
- S. Mayor's Request 210598 Requesting acceptance of a \$111,500 grant with no new match required, from MADot to the SPCD Mobility Division for Mystic Avenue Shared Streets improvements.  
RECOMMENDED: Approved
- T. Mayor's Request 210599 Requesting approval of a time-only extension for the FY17 Morse Kelley Playground CPA Grant for an additional 3 years.  
RECOMMENDED: Approved
- U. Mayor's Request 210600 Requesting approval of a time-only extension for the FY17 Healey Schoolyard Design CPA contract for an additional 3 years.  
RECOMMENDED: Approved
- V. Mayor's Request 210601 Requesting approval of a time-only extension for the FY17 CPA grant contract for the Henry Hansen Park Design for an additional 3 years.  
RECOMMENDED: Approved
- W. Mayor's Request 210602 Requesting approval for a time-only extension of the FY17 Milk Row Cemetery Open Space Master Plan CPA contract through October 2021.  
RECOMMENDED: Approved
- X. Order 210625 By City Councilor Ballantyne  
That all Department Heads share their FY21 missions and goals and FY20 achievements at this Council's next meeting on October 8, 2020.  
RECOMMENDED: Work Completed
- Y. Order 210626 By City Councilor Ballantyne  
That the Director of Finance and the Budget Director discuss ways to improve the user experience for OpenGov.  
RECOMMENDED: Work Completed
- Z. Order 210628 By City Councilor Ballantyne  
That the Director of Finance and the Director of SPCD discuss potential appropriations for requests from Somerville Cares (see attachment), restaurants and bars, arts and cultural organizations, and other groups.

RECOMMENDED: Work Completed

- AA. Mayor's Request 210646 Requesting approval to pay prior year invoices totaling \$106,292.07 unencumbered using available funds in the DPW Building and Grounds budget.  
RECOMMENDED: Approved
- AB. Mayor's Request 210647 Requesting approval to pay prior year invoices totaling \$30,210.49 unencumbered using available funds in the DPW Highway budget.  
RECOMMENDED: Approved
- AC. Mayor's Request 210648 Requesting approval to pay a variety of prior year invoices totaling \$17,214.11 using available funds in the DPW Administration budget.  
RECOMMENDED: Approved
- AD. Mayor's Request 210649 Requesting approval to pay prior year invoices totaling \$4,014.19 unencumbered using available funds in the DPW Fleet budget.  
RECOMMENDED: Approved
- AE. Mayor's Request 210650 Requesting approval to pay a prior year invoice for \$220 using available funds in the Inspectional Services Department's Staff Development Account for staff training.  
RECOMMENDED: Approved
- AF. Mayor's Request 210651 Requesting approval to pay a prior year invoice totaling \$96 using available funds in the Health and Human Services Professional & Technical Account for interpreter services.  
RECOMMENDED: Approved
- AG. Mayor's Request 210652 Requesting acceptance of a \$46,800 grant with no new match required, from Metropolitan Area Planning Council to the Health and Human Services Department to reduce transportation barriers to food access.  
RECOMMENDED: Approved
- AH. Mayor's Request 210653 Requesting acceptance of a \$37,315 grant with no new match required, from the MA Department of Mental Health to the Police Department for the Jail Diversion Program.  
RECOMMENDED: Approved
- AI. Mayor's Request 210654 Requesting acceptance of a \$5,000 grant with no new match required, from the MA Emergency Management Agency to the Fire Department for emergency management equipment.  
RECOMMENDED: Approved
- AJ. Mayor's Request 210655 Requesting approval to enter into a power purchase agreement with Solect Energy Development for a solar system at the East Somerville Community School.  
RECOMMENDED: Approved
- AK. Mayor's Request 210656 Requesting approval to enter into a power purchase agreement with Solect Energy Development for a solar system at the High School.

RECOMMENDED: Approved

- AL. Mayor's Request 210657 Requesting approval of an easement to Solect Energy Development for installation, maintenance, and operation of a roof-top solar energy system at the East Somerville Community School.  
RECOMMENDED: Approved
- AM. Mayor's Request 210658 Requesting approval of an easement to Solect Energy Development for installation, maintenance, and operation of a roof-top solar energy system at the High School.  
RECOMMENDED: Approved
- AN. Mayor's Request 210659 Requesting approval of a time-only contract extension for the 2017 street resurfacing contract with D&R General Contracting Inc.  
RECOMMENDED: Approved
- AO. Mayor's Request 210660 Requesting approval of the 2020-2021 HUD One Year Action Plan, for CDBG, HOME, and ESG programming.  
RECOMMENDED: Approved
- AP. Officer's Communication 210661 City Solicitor seeking approval of the settlement of a pending claim for \$249,713.69, for damages to the City Hall Annex in 2018.  
RECOMMENDED: Approved

19. LAND USE COMMITTEE

- A. Committee Report (ID # 23563) Report of the Committee on Land Use, meeting on September 29, 2020.
- B. Public Communication 210364 15 registered voters requesting the adoption of an amendment to the Zoning map to re-zone six parcels along Medford Street between School Street and Marshall Street.  
RECOMMENDED: Approved as Amended.

20. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report (ID # 23565) Report of the Committee on Legislative Matters, meeting on October 1, 2020.
- B. Public Communication 204422 Alan Bingham submitting comments re: #204278, the Demolition Review ordinance.  
RECOMMENDED: Placed on File.
- C. Public Communication 205151 Alan Bingham submitting comments re: the draft Demolition Review Ordinance.  
RECOMMENDED: Placed on File.

- D. Public Communication 205791 Chamber of Commerce submitting comments re: #204278, the proposed demolition review ordinance.  
RECOMMENDED: Placed on File.
- E. Public Communication 206483 Somerville YIMBY Committee submitting comments re: #204278, the Demolition Review ordinance.  
RECOMMENDED: Placed on File.
- F. Public Communication 206484 Justin Rank submitting comments re: #204278, the Demolition Review ordinance.  
RECOMMENDED: Placed on File.
- G. Ordinance 209190 By City Councilor Niedergang Proposing an amendment to Tree Preservation Ordinance 12-102 - Definitions, to add to the definition of Invasive Plant the following sentence: "However, Norway Maples and other trees larger than 24" diameter at breast height shall not be considered Invasive Plants."  
RECOMMENDED: Approved as Amended.
- H. Public Communication 210161 Chamber of Commerce submitting comments re: #204278, the Demolition Review ordinance.  
RECOMMENDED: Placed on File.
- I. Order 210454 By City Councilor Scott, Rossetti, McLaughlin, Ewen-Campen, Strezo, Clingan That the City Solicitor draft language to prohibit the use of prison labor of any kind for city projects, including the Middlesex Sheriff's Community Work Program.  
RECOMMENDED: Approved as Amended.
- J. Order 210555 By City Councilor Ewen-Campen, Clingan That the City Solicitor draft an ordinance to require municipal licensing of rental car businesses, to address the issue of these businesses illegally parking their rental fleet on residential streets.  
RECOMMENDED: Work Completed.
- K. Order 210561 By City Councilor McLaughlin That the City Solicitor prepare a Home Rule Petition to repeal Chapter 327 of the Acts of 2004, which follows up on the so-called anti-gang loitering ordinance.  
RECOMMENDED: Approved.

21. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

- A. Committee Report (ID # 23566) Report of the Committee on Public Health and Public Safety, meeting as a Committee of the Whole on October 5, 2020.



22. PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE

- A. Committee Report (ID # 23564) Report of the Committee on Public Utilities and Public Works, meeting as a Committee of the Whole on September 30, 2020.
- B. Order 210162 By City Councilor Rossetti, Niedergang, Davis, Ewen-Campen, Scott, Clingan, Ballantyne, Strezo, McLaughlin, Mbah, White Jr.  
That the Director of Inspectional Services explain why Stop Work Orders are not accompanied by a fine.  
RECOMMENDED: Work Completed
- C. Resolution 210186 By City Councilor Niedergang, Davis, Rossetti, Ewen-Campen, Scott, Clingan, Ballantyne, Strezo, McLaughlin, Mbah, White Jr.  
That the Director of Inspectional Services, the City Solicitor, and the Mayor appear before this Council to explain why a development at 21 Cherry Street was deemed essential and granted a temporary Certificate of Occupancy despite a history of building code violations and physical violations of the Special Permit granted by the Zoning Board of Appeals.  
RECOMMENDED: Work Completed
- D. Resolution 210187 By City Councilor Niedergang, Davis, Rossetti, Ewen-Campen, Scott, Clingan, Ballantyne, Strezo, McLaughlin, Mbah, White Jr.  
That the Administration explain in writing to this Council, upon granting a permanent Certificate of Occupancy or extending a temporary Certificate of Occupancy to the 21 Cherry Street development, why the COO was granted given the many built violations of the Special Permit granted by the Zoning Board of Appeals.  
RECOMMENDED: Work Completed
- E. Order 210219 By City Councilor White Jr., Ewen-Campen, Scott, Clingan, Ballantyne, Strezo, Davis, Niedergang, Rossetti, McLaughlin, Mbah  
That the Director of Inspectional Services provide the Committee on Public Utilities and Public Works with the building jacket for the development project at 21 Cherry Street, prior to the Committee's June meeting.  
RECOMMENDED: Work Completed
- F. Order 210595 By City Councilor Clingan, Niedergang, White Jr., Rossetti, Ballantyne, Davis, Scott  
That the Director of Inspectional Services appear before the Committee on Public Utilities and Public Works to discuss ensuring that all conditions of a special permit are met prior to the final signoff by the Inspectional Services Department and the issuance of a certificate of occupancy.  
RECOMMENDED: Work Completed

- G. Order 210596 By City Councilor Clingan, Niedergang, White Jr., Rossetti, Davis, Scott  
That the Committee on Public Utilities and Public Works hold a public hearing on developers' compliance with the conditions of special permits and the Inspectional Services Department's enforcement of those conditions.  
RECOMMENDED: Work Completed

**COMMUNICATIONS OF THE MAYOR**

23. Mayor's Request (ID # 23557) Requesting an appropriation and authorization to borrow \$1,440,000 in a bond for the renovation and construction of the West Branch Library.
24. Mayor's Request (ID # 23561) Requesting approval to pay a prior year invoice totaling \$36,000 using available funds in the DPW Fleet Division Professional and Technical Maintenance Account for Stoneham Motor Company, for the rental of plow trucks.
25. Mayor's Request (ID # 23524) Requesting approval to pay a prior year invoice totaling \$421.65 using available funds in the Parking Department Meter Repair Account, for parking meter batteries.
26. Mayor's Request (ID # 23537) Requesting approval to pay a prior year invoice totaling \$126 using available funds in the Health and Human Services Department's Professional and Technical Services Account for interpreting services.
27. Mayor's Request (ID # 23568) Requesting acceptance of a \$53,437.50 grant with no new match required, from the Center for Tech and Civic Life Cares Act to the Elections Department for postage to cover mailing out voting ballots.
28. Mayor's Request (ID # 23550) Requesting acceptance of a \$6,744.50 grant with no new match required from the MA Department of Public Health (through the Cambridge Health Alliance) to the Health and Human Services Department for 2020 Seasonal Flu Vaccine Clinic support.
29. Mayor's Request (ID # 23570) Requesting approval of a 5-year Lease to procure equipment for IT network upgrades.
30. Mayor's Request (ID # 23554) Requesting approval of a time-only contract extension for Design Technique for construction administration at the West Branch Library through 4/30/21.
31. Mayor's Request (ID # 23555) Requesting approval of a time-only extension for Designlab for construction administration at the West Branch Library until 4/30/21.

32. Mayor's Request Requesting the change of 3 voting locations: W5 P2  
(ID # 23578) from the Brown School to the Kennedy School Gym, W5  
P3 from the Highland Ave Fire Station to the Kennedy  
School Gym, and W2 P3 from Lowell St Fire Station to  
the Argenziano School.

**COMMUNICATIONS OF CITY OFFICERS**

33. Officer's City Solicitor requesting to appear in Executive Session  
Communication to discuss litigation strategy and a negotiating position in  
(ID # 23559) the matter of 9-11 Aldersey Street.
34. Officer's City Solicitor requesting approval to retain outside legal  
Communication counsel to represent the City in the matter of 9-11  
(ID # 23558) Aldersey Street.
35. Officer's Assistant City Solicitor submitting a Home Rule Petition  
Communication to repeal Chapter 327 of the Acts of 2004, relative to  
(ID # 23560) gang loitering.
36. Officer's Chief Labor Counsel submitting an ordinance prohibiting  
Communication the use of prison labor, as approved by the Committee on  
(ID # 23592) Legislative Matters on 10/1/20.
37. Officer's Acting Director of Personnel responding to #210382 re:  
Communication staffing in the E-911, Fire Alarm, and Constituent  
(ID # 23556) Services Departments.
38. Officer's DPW Commissioner responding to #210475 re: the  
Communication broken street light on Woods Ave.  
(ID # 23424)
39. Officer's Director of Economic Development conveying the  
Communication Notice of Environmental Notification Form Submission  
(ID # 23579) for the Winter Hill Urban Renewal Plan.
40. Officer's Planning Board conveying its recommendations re: #s  
Communication 210185, 210364, and 210597, 3 requests for zoning  
(ID # 23589) amendments.

**NEW BUSINESS**

41. License/Permit Renewing Drainlayer's License, BSI Engineering Inc.  
(ID # 23580)
42. License/Permit Renewing Outdoor Seating License, 130 Broadway LLC  
(ID # 23581) for Fat Hen and Perfect Dental.

43. Public Communication (ID # 23587) Anthony Martignetti proposing a zoning amendment to re-zone his property at 360 Medford St to High Rise.

**SUPPLEMENTAL ITEMS**

44. Ordinance (ID # 23593) By City Councilor White Jr. That the provisions of Sec. 8-3(1) be amended by changing "for not less than a twelve month period" to "not less than a one month period"
45. Order (ID # 23594) By City Councilor Scott, Rossetti That the Director of Inspectional Services review Zoning Ordinance 1.7 and act accordingly.
46. Order (ID # 23598) By City Councilor Rossetti That this Council prepare for interviews of applicants to the Wage Theft Advisory Committee.
47. Mayor's Request (ID # 23553) Requesting approval of a transfer of \$40,000 in the City Council's budget, from the Professional and Technical Services Account to the Salaries and Wages Temporary Account, to fund staff to develop a civilian oversight process for the Police Department.
48. Mayor's Request (ID # 23596) Requesting confirmation of the appointment of Kenneth Silva to the position of District Fire Chief.
49. Officer's Communication (ID # 23601) City Clerk submitting an ordinance to amend the definition of invasive plants in Ordinance 12-102 of the Tree Preservation Ordinance, as approved by the Committee on Legislative Matters on 10/1/20.
50. Officer's Communication (ID # 23591) Planning Division requesting to present a SomerVision 2040 update.
51. Officer's Communication (ID # 23595) Chief Assessor responding to #209562 re: senior tax exemptions and #210591 re: tax abatements for arts organizations.
52. Public Communication (ID # 23600) Tufts President responding to #210623 re: Tufts' Dining Workers.
53. Public Communication (ID # 23599) 2 residents submitting comments re: #210645, Conway Park remediation and renovation.

**LATE ITEMS**

**ADJOURNMENT**